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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-00402 RMW
)	
Plaintiff,)	STIPULATION TO CONTINUE
)	DATE FOR SENTENCING;
v.)	ORDER []
)	
KEVIN VO,)	Date: July 26, 2010
)	Time: 9:00 a.m.
Defendant.)	
)	Before The Honorable Ronald M. Whyte

The parties jointly ask the Court to continue Kevin Vo's sentencing from its currently scheduled date of July 26, 2010 to **Monday, October 25, 2010**, at 9:00 a.m., before The Honorable Ronald M. Whyte, United States District Judge. The basis for the request is that this defendant is a cooperating witness for whom the government hopes to be able to file a motion for a sentencing departure under U.S.S.G. § 5K1.1. Trial for the co-defendants is now scheduled to begin on October 13, 2010. Accordingly the government will not be in a position fully to evaluate the extent and value of Kevin Vo's cooperation before then. The United States Probation Officer assigned to the case, Waseem Iqbal, has been informed of this request. He does not object and will be available on the date the parties are requesting.

REQUEST TO CONTINUE SENTENCING

1 IT IS SO STIPULATED:

2 DATED: July 19, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

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4 / s /

5 DAVID R. CALLAWAY
6 Assistant United States Attorney
7 Counsel for United States

8 DATED: July 19, 2010

/ s /

9 ALLEN H. SCHWARTZ, ESQ.
10 Counsel for Defendant Kevin Vo

11
12 **ORDER**

13 For the reasons set forth above, and good cause appearing,

14 IT IS HEREBY ORDERED that sentencing for the captioned defendant, currently
15 scheduled to occur on July 26, 2010, is continued to **Monday, October 25, 2010, at 9:00 a.m.**,
16 before The Honorable Ronald M. Whyte, United States District Judge.

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18 Dated: 7/22/10

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20 RONALD M. WHYTE
21 United States District Judge
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